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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/305,146	05/04/1999	GEORGE V. GUYAN	ANDIP069	1663

28164 7590 08/23/2005
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EXAMINER

RIMELL, SAMUEL G

ART UNIT PAPER NUMBER

2165

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/305,146

Applicant(s)

GUYAN ET AL

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22 and 41-67 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 22, 41-67 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



**SAM RIMELL
PRIMARY EXAMINER**

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 22 and 41-65 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22: Claim 22 refers to “clear encapsulation from system responsibilities”. It is not clear what the “system responsibilities” and whether they are the same responsibilities of the system described in the claim.

Claims 41-65: Depend on claim 22.

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 22 and 41-65 are rejected under 35 U.S.C. 101 because the claimed invention is inoperative.

Claim 22: Claim 22 states that the event processor “maintains clear encapsulation from system responsibilities”. Although it is not entirely clear what those responsibilities are, in one interpretation, they could be the functions of the event processor outlined in the claim. These functions are: (1) interacting with the task engine; (2) interacting with the data component; (3) determining a response; (3) identifying system components; and (4) transmitting the identified system component.

If the event processor “maintains clear encapsulation from system responsibilities”, this would suggest that the event processor cannot perform any of the four functions it needs to

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perform. In such instance, the claimed invention is inoperable, since the event processor must perform the four claimed functions in order for the invention to produce some form of output.

Claim 41-65: Depend on claim 22.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 66-67 are rejected under 35 U.S.C. 102(e) as being anticipated by Borghesi et al. (U.S. Patent 5,950,169).

Claim 66: FIG. 3 of Borghesi et al. discloses event processors (30 or 32 or 34), which interact with a data component (a claim folder, FIG. 6). The event processor identifies data events (information about vehicle accidents) by creating data files on vehicle accidents. As seen in FIG. 8E, the event processor can determine a response (send data) and follow programming steps to identify system components (programs 200-218) that can process the claims using the received data.

The task engine application program is any one of the programming sets (200-218—FIG. 8E) of the computers (30, 32, 34—FIG. 3) which process some aspect of the insurance claim.

FIG. 6 illustrates one of the data components residing in the claim file. The claim folder is decomposed into a plurality of levels, such as “assignment”, “inspection”, “policy”, “parties”, “statements”, loss”, and “repair site”. The policy level is at the tab marked “policy”. The claim

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level is at the tab marked "loss". The participant level is at the tab marked "parties". The line level is at the higher level tab marked "totals".

FIG. 6 illustrates that the claim folder is displayed via a user interactive interface (a graphical user interface). Any one of the users at the computers (30 or 32 or 34) can interact with the levels of the claim folder to retrieve data of the folder or enter data into the folder.

Referring back to FIG. 8E, the event processor can direct data to one of the components (202) which becomes the task engine that can create a list of actions to be taken (FIG. 8F, 220-230).

Claim 67: See remarks for claim 66.

Remarks

Applicant's arguments are moot in light of the new grounds of rejection as incorporated in this action. This action is made non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
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